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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,248	12/10/2003	Ryoko Amano	246404US6	5688
22850 7590 12/17/2008 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER HESS, DANIEL A	
			ART UNIT 2876	PAPER NUMBER
			NOTIFICATION DATE 12/17/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/731,248	<b>Applicant(s)</b> AMANO ET AL.	
	<b>Examiner</b> DANIEL A. HESS	<b>Art Unit</b> 2876	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 August 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 15-28 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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### **DETAILED ACTION**

This action is responsive to applicant's amendment of 8/29/2008, which has been entered into the electronic file of record.

It is noted that examiner Daniel Hess has replaced examiner Lisa Caputo as the examiner of record in the present case.

*Since no art rejection was made in the previous rejection, this action is non-final.*

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 7, 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohki et al. (US 5,952,639).

Re claim 1: Ohki teaches (see entire document; abstract provides good support for the examiner's statements) an ATM which interfaces with (reads from and writes to) an IC card that acts as a repository of electronic money. Display of the amount is a natural part of interfacing with the electronic money, thus the ATM will display information that is read from the IC card (electronic cash card).

For the sake of clarity, limitations of claim 1 are listed below in italics, followed in each case by a discussion of how Ohki meets the claimed limitation.

*An information processing apparatus communicatively linked to an IC card for reading out information recorded in the IC card, comprising:*

The ATM is an information processing apparatus which reads an IC card.

*information acquisition means for acquiring said information recorded in said IC card;*

*information storage means for storing said information acquired by said information acquisition means;*

There is a reader on the ATM (see figure 4). Storage of read data, at least on a temporary basis in the ATM, is inherently necessary for the ATM to work with the read data (i.e. the electronic cash balance on the IC card).

*information processing means for performing a predetermined process in preparation for displaying said information on a visual display; and*

See figure 2 and accompanying description. Display panel 142 displays transaction information.

Certainly information such as the balance on the card will be formatted for display on 142.

*information display control means for controlling display of said information acquired by said information acquisition means on the visual display.*

The display 142 will have driver software, which is simply the software control means for controlling the display.

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Re claims 2 and 3:

The subject matter in these claims is similar to the subject matter of claim 1.

Re claim 4: The claim simply can mean that the reader determines if a card is a proper type for a reader. This is a given. If someone tries to put a non-cash card into Ohki's cash-card reader, it would necessarily give some kind of error.

Re claim 7: Ohki et al. would necessarily display balance information since this is the most fundamental information on the electronic cash IC card which interfaces with the ATM in his teachings.

Re claim 14: See discussion re claim 1, above.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 5, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohki in view of Goldthwaite (US 20040127256).

Re claim 5:

Lacking in Ohki is a teaching of contactless communication between a terminal and IC card.

Goldthwaite discusses (see paragraph [0003]) a whole range of art in the domain of contactless smart (ic) cards that interface with terminals.

In view of Goldthwaite's teaching, it would have been obvious to make the communication in Ohki contactless in order to allow more rapid interaction with the terminal.

Re claim 6: It is especially the case in wireless smart card communication systems as in Goldthwaite, that detection methods and processes are needed to make communication between the wireless card and the terminal.

Claims 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohki et al. as applied to claim 1 above, in view of Rikuna (US 4827113).

Re claim 8: Ohki fails to teach encryption between the card and the reader.

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Rikuna teaches (abstract is exemplary) an arrangement of an IC card communicating with a terminal where there is encryption and decryption of communication using public and private keys.

In view of Rikuna's teachings, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the old and well-known key-based encryption for communications between an IC card and a terminal to help resist fraud.

Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohki et al. in view of Bornemisza-Wahr (US 6073119).

Re claims 9-12:

It is true of many ATMs that interactions with the ATM are time-limited. In other words, if the user takes no action, the ATM will time-out for security reasons.

In Bornemisza-Wahr (column 14, lines 34+):

“As discussed above, the session timer determines the maximum amount of time a user can spend in a single session. When the session timer is active, the user sees a timer on the user's screen, which displays the time remaining in the session.”

The motivation to have a time-out feature is so that if one customer forgets to exist the ATM program, the next person will not be able to access their account. The motivation to show

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time remaining is to remind a user of the timeout feature so that they may perform their transaction in a timely manner.

Re claims 13: Use of sounds in interactive terminals is common, both to enhance the user's experience and to aid the blind.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL A. HESS whose telephone number is (571)272-2392. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daniel A Hess/



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Primary Examiner, Art Unit 2876

12/9/08